

HOUSE No. 3735

Text of the House amendment to the Senate bill relative to veterans' allowances, labor, outreach and recognition (Senate , No. 1885), as amended by the House on October 30 and 31, 2013.
October 31, 2013.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

By striking out all after the enacting clause and inserting in place thereof the following:—

1 SECTION 1. Subsection (i½) of section 61 of chapter 7 of the General Laws, as
2 appearing in the 2012 Official Edition, is hereby amended by adding the following paragraph:-

3 (i3/4) SDO shall, every three years and in consultation with the department of veterans'
4 services, establish goals for participation of service-disabled, veteran-owned business enterprises
5 in all areas of state procurement contracting, including contracts for public construction, design
6 services, and commodities and service. In calculating such goals, the Secretary shall base his
7 determination on an understanding of the pool of service-disabled veteran-owned business
8 enterprises available to participate in the Program.

9 SECTION 2. Section 8E of chapter 12 of the General Laws, as so appearing, is hereby
10 amended by inserting after the word “U.S.A.”, in line 17, the following words:- ; Department of
11 Massachusetts, Marine Corps League, Inc.

12 SECTION 3. Chapter 15A of the General Laws is hereby amended by adding the
13 following section:-

14 Section 43. (a) No student at a postsecondary institution shall incur academic or financial
15 penalties by virtue of performing military service on behalf of the United States. A student who
16 enrolls in an academic course at any of the institutions in subsection (b) but is unable to complete
17 an academic course because that student is called to, or enlists in, active duty, as defined in
18 section 1 of chapter 15E, shall have the option to complete the course at a later date without
19 penalty or withdraw from the course with a full refund of fees and tuition paid. If the academic
20 course is no longer available upon the student’s return from active duty, the student shall be
21 permitted to complete a replacement course for equivalent credit without penalty. If the student

chooses to withdraw from the course, the student's record shall reflect that the withdrawal is due to active military service.

(b) This section shall apply to all postsecondary institutions in the commonwealth including: (i) the system of public institutions of higher education, as defined in section 5; (ii) private occupation schools, as defined in section 263 of chapter 112; and (iii) private colleges, universities or other institutions of higher learning.

SECTION 4. Section 8 of chapter 15E of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the word "military", in line 86, the following words:- , National Guard or Reserve.

SECTION 4A. Chapter 29 of the General Laws is hereby amended by inserting after section 2GGGG the following section:-

Section 2HHHH. There shall be established and set upon the books of the commonwealth a separate fund to be known as the Support our Veterans Fund. There shall be credited to said fund revenues received from the sale of "Support our Veterans" distinctive registration plates issued pursuant to subsection (d) of section 2E of chapter 90. Amounts credited to said fund shall be available for expenditure by the secretary of the department of veterans' services who shall distribute the funds once during each fiscal year for the purpose of administering grants to programs or organizations that fund additional services or conduct research relative to, including, but not limited to, the following: (i) veterans' mental health and substance abuse; (ii) veterans' housing and homelessness; (iii) veterans' health care; (iv) veterans' disability benefits; (v) long-term care of veterans; (vi) veteran employment and employment training; (vii) veterans' education; and (viii) Gold Star family support.

In order to expend funds from said fund, the secretary of the department of veterans' services shall appoint a 3-member funding authorization committee. The committee shall authorize the expenditure of funds through an application process developed and administered by the committee. The secretary shall be a member and act as the chairperson of the committee. One member of the committee shall be a member of the Governor's Advisory Council on Veterans' Services, who shall be appointed by the governor. One member of the committee shall be a veteran representative of the public with no financial interest in funding programs and services, who shall be appointed by the governor. No member of the legislature shall serve on the committee. An entity awarded funds pursuant to this section, in any fiscal year, shall not be eligible for funding for the next 2 subsequent fiscal years.

SECTION 5. Section 67A of chapter 33 of the General Laws, as so appearing, is hereby amended by inserting after the word "action", in line 3, the first time it appears, the following words:- or who died in service while in a designated combat area in the line of duty.

SECTION 6. Section 8A of chapter 58 of the General Laws is hereby repealed.

58 SECTION 7. Section 5 of chapter 59 of the General Laws is hereby amended by striking
59 out the first paragraph, as appearing in the 2012 Official Edition, and inserting in place thereof
60 the following paragraph:-

61 The following property shall be exempt from taxation and the date of determination as to
62 age, ownership or other qualifying factors required by any clause shall be July first of each year
63 unless another meaning is clearly apparent from the context; provided, however, that any person
64 who receives an exemption pursuant to clause Seventeenth, Seventeenth C, Seventeenth C½,
65 Seventeenth D, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C,
66 Twenty-second D, Twenty-second E, Twenty-second F, Thirty-seventh, Thirty-seventh A, Forty-
67 first, Forty-first B, Forty-first C, Forty-first C½, Forty-second, Forty-third, Fifty-sixth or Fifty-
68 seventh shall not receive an exemption on the same property pursuant to any other provision of
69 this section, except clause Eighteenth or Forty-fifth.

70 SECTION 8. Clause twenty-second E of said section 5 of said chapter 59, as so
71 appearing, is hereby amended by striking out the last paragraph.

72 SECTION 9. Said section 5 of said chapter 59, as so appearing, is hereby further
73 amended by inserting after clause Twenty-second E the following clause:-

74 Twenty-second F, Real estate of soldiers and sailors, who are veterans, as defined in the
75 forty-third clause of section 7 of chapter 4, and their spouses, who according to the records of the
76 Veterans Administration or of any branch of the armed forces of the United States by reason of
77 injury received while in service and in the line of duty are paraplegics; provided, however, that
78 the veteran or spouse is a legal resident of the commonwealth, the veteran's last discharge or
79 release from the armed forces was under other than dishonorable conditions and the veteran was
80 domiciled in the commonwealth for at least 6 months prior to entering his or her service or
81 resided in the commonwealth for 5 consecutive years prior to the date of filing for exemption
82 pursuant to this clause; provided further, that the real estate is occupied as the veteran's domicile
83 by that person; and provided further, that if the property is greater than a single-family house,
84 then only that value of so much of the house as is occupied by the person as his or her domicile
85 shall be exempted. An exemption pursuant to this clause shall continue unchanged for the
86 benefit of the surviving spouse after the death of the disabled veteran as long as the surviving
87 spouse of the qualified veteran shall remain an owner and occupant of a domicile subject to the
88 exemption.

89 No real estate shall be exempt if the assessors adjudge that it has been conveyed to a
90 soldier or sailor to evade taxation.

91 After the assessors have allowed an exemption pursuant to this clause no further evidence
92 of the existence of the facts required by this clause shall be required in any subsequent year in
93 the city or town in which the exemption has been allowed; provided, however, that the assessors
94 may refuse to allow an exemption in any subsequent year if they become aware that the soldier

95 or sailor did not satisfy all of the requisites of this clause at the time the exemption was first
96 granted.

97 Two thousand dollars of this exemption or up to the sum of \$175, whichever basis is
98 applicable, shall be borne by the city or town; the balance shall be borne by the commonwealth;
99 and the state treasurer shall annually reimburse the city or town for the amount of the tax which
100 otherwise would have been collected on account of this balance.

101 Notwithstanding this section, in any city or town which accepts this paragraph, the
102 exemptions available pursuant to clauses twenty-second, twenty-second A, twenty-second B,
103 twenty-second C, twenty-second D, twenty-second E and twenty-second F may be granted to
104 otherwise eligible persons who have resided in the commonwealth for 1 year prior to the date of
105 filing for exemptions pursuant to the applicable clause.

106 SECTION 9A. Said section 5 of said chapter 59 is hereby amended by inserting after
107 clause Twenty-second F the following clause:—

108 Twenty-second G. Real estate of soldiers and sailors and their spouses who are legal
109 residents of the commonwealth who are veterans as defined in clause forty-three of section seven
110 of chapter four, a disabled veteran may transfer or convey his residence or domicile, to which the
111 disabled veteran has assigned the benefit of the tax abatement listed under said chapter 58 or this
112 chapter to a trust or conservatorship or other legal instrument passing ownership to his spouse,
113 such disabled veteran or his spouse shall be entitled to lawfully retain that formerly granted tax
114 abatement to the residence or domicile until the death of the disabled veteran or his surviving
115 spouse, providing that the aforementioned remain residing in said residence or domicile until
116 their death. This clause shall take effect upon its acceptance by any city or town.

117 SECTION 10. Section 5C of said chapter 59, as so appearing, is hereby amended by
118 striking out, in lines 13 and 14, the words “of section eight A of chapter fifty-eight and”.

119 SECTION 11. Said chapter 59 is hereby amended by inserting after section 5C the
120 following section:-

121 Section 5C½. In a city or town that accepts this section and is certified by the
122 commissioner to be assessing all property at full and fair cash valuation, a taxpayer who
123 otherwise qualifies for an exemption pursuant to any clause specifically listed in the first
124 paragraph of section 5 for which receipt of another exemption on the same property is prohibited,
125 shall be granted an additional exemption that shall be uniform for all exemptions and the amount
126 of which shall not exceed 100 per cent of the exemption for which the taxpayer qualifies, as may
127 be determined by the legislative body of the city or town, subject to its charter, not later than the
128 beginning of the fiscal year to which the tax relates. Notwithstanding any provision of this
129 chapter to the contrary, the exemption shall be in addition to any exemption allowable pursuant
130 to section 5; provided, however, that in no instance shall the taxable valuation of the property,

after all applicable exemptions, be reduced below 10 per cent of its full and fair cash valuation, except through the applicability of clause Eighteenth of section 5; and provided, further, that the additional exemption shall not result in any taxpayer paying less than the taxes paid in the preceding fiscal year. Acceptance of this section by a city or town shall not increase the amount that it otherwise would have been reimbursed by the commonwealth pursuant to the respective clause.

SECTION 12. Section 5N of said chapter 59, as appearing in the 2012 Official Edition, is hereby amended by inserting after the figure “4”, in line 5, the following words:- or a spouse of a veteran in the case where the veteran is deceased or has a service-connected disability.

SECTION 13. Section 59 of said chapter 59, as so appearing, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

An application for exemption under clause Seventeenth, Seventeenth C, Seventeenth C½, Seventeenth D, Eighteenth, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, Twenty-second F, Thirty-seventh, Thirty-seventh A, Forty-first, Forty-first B, Forty-first C, Forty-first C½, Forty-second, Forty-third, Fifty-second, Fifty-third, Fifty-sixth and Fifty-seventh of section 5 may be made on or before December 15 of the year to which the tax relates, or if the bill or notice is first sent after September 15 of that year, within 3 months after the bill or notice is so sent.

SECTION 14. Section 1 of chapter 60A of the General Laws, as so appearing, is hereby amended by striking out, in lines 135 and 136, the words “continental United States” and inserting in place thereof the following word:- commonwealth.

SECTION 15. Chapter 68 of the General Laws is hereby amended by inserting after section 19 the following section:-

Section 19A. Any person or charitable organization established for an advocacy, benevolent, educational, humane, patriotic, philanthropic, scientific or social welfare purpose on behalf of veterans or the military that intends to solicit contributions from persons within the commonwealth or to have contributions solicited on its behalf by other charitable organizations shall, prior to such solicitation, apply for designation as a veterans’ charitable organization on a form issued by the division that shall include, but not be limited to: (i) the name of the organization and the purpose for which it is organized; (ii) the address of the organization and the address of any offices in the commonwealth or, if the organization does not maintain an office, the name and address of the person having custody of its financial records; and (iii) the charitable purposes for which solicited contributions shall be used. The secretary of the department of veterans’ services shall publish on the department’s website a list of the names of each veterans’ charitable organization. Designation as a veterans’ charitable organization shall be valid for 3 years. Any person or organization applying for designation as a veterans’ charitable organization shall be exempt from any registration fee or renewal fee pursuant to section 19.

168 SECTION 16. Section 28 of said chapter 68, as appearing in the 2012 Official Edition, is
169 hereby amended by inserting after word “issued”, in line 37, the following:-

170 (f) No person or organization shall claim to be a representative of a veterans’ charitable
171 organization with the intent to solicit contributions that benefit or profit any person or
172 organization other than the veterans’ charitable organization.

173 SECTION 17. Section 1 of chapter 90 of the General Laws, as so appearing, is hereby
174 amended by inserting after the definition of “Intersecting way” the following definition:-

175 “Killed in action”, a casualty classification determined by the United States Department
176 of Defense when a member of the armed forces of the United States has been killed while
177 performing military operations while serving the United States in a conflict recognized by the
178 United States Department of Defense.

179 SECTION 18. Section 2 of said chapter 90, as so appearing, is hereby amended by
180 inserting after the word “RECIPIENT”, in line 407, the following words:- and the words
181 “COMBAT WOUNDED”.

182 SECTION 19. Said section 2 of said chapter 90, as so appearing, is hereby further
183 amended by striking out the twenty-first paragraph and inserting in place thereof the following
184 paragraph:-

185 The registrar shall furnish without charge to the owner of a private passenger motor
186 vehicle who is a Gold Star parent, child, sibling, grandchild or spouse of a member of the
187 military, upon presentation of satisfactory evidence of such status as determined by the registrar,
188 a distinctive registration plate that reads "Gold Star Family" for 1 private passenger motor
189 vehicle owned and principally used by that person or a distinctive "Gold Star Family" emblem to
190 be affixed to a registration plate for a motorcycle privately owned and principally used by that
191 person. The registrar may issue a distinctive “Gold Star Family” registration of up to 6 characters
192 for 1 private passenger motor vehicle owned and principally used by that person. A Gold Star
193 parent, child, sibling, grandchild or spouse of a member of the military that was killed in action
194 or otherwise died as a result of immediate injuries sustained from such action may have a “KIA”
195 designation on the “Gold Star Family” emblem affixed to a registration plate for a private
196 passenger motor vehicle or motorcycle privately owned and principally used by that person. The
197 registrar shall furnish at no additional cost a “KIA” designation on any previously issued “Gold
198 Star Family” registration plate for an individual who meets the requirements of this section.

199
200 SECTION 20. Section 2E of said chapter 90, as so appearing, is hereby amended by
201 adding the following subsections:-

(d) The registrar shall furnish, upon application, to the owner of a private passenger motor vehicle, a distinctive registration plate that shall display on its face the words “Supporting our Veterans” to honor men and women who have served in the armed forces of the United States and the armed forces of the commonwealth. There shall be a fee of not less than \$50 for the plates in addition to the established registration fee for a private passenger motor vehicle, which shall be payable at the time of registration of the vehicle and at each renewal thereof. The portion of the total remaining fee, after the deduction of costs directly attributable to the issuance of the plates, shall be deposited in the Support our Veterans Fund established pursuant to section 2HHHH of chapter 29.

The portion of the total remaining fee, after the deduction of costs directly attributable to the issuance of the plates, shall be deposited in a registry retained revenue account of which \$10 from each registration shall be apportioned to the Disabled and Limbless Veterans, Inc to exercise apportionment to the following registered charities: Operation Troop Support with federal Employer Identification Number 20-8645838; Vietnam Veterans Workshop, Inc., doing business as New England Center for Homeless Veterans, with federal Employer Identification Number 04-3007211; and Fisher House of Boston, Inc. in West Roxbury with federal Employer Identification Number 26-0190895. Of the remaining portion of the fee, there shall be an application process designed and administered by the secretary of the department of veterans’ services to distribute the funds once during each fiscal year for the purpose of administering grants to programs or organizations that fund additional services or conduct research relative to, including, but not limited to, the following: (i) veterans’ mental health and substance abuse; (ii) veterans’ housing and homelessness; (iii) veterans’ health care; (iv) veterans’ disability benefits; (v) long-term care of veterans; (vi) veteran employment and employment training; (vii) veterans’ education; and (viii) Gold Star family support. Funds expended from this account shall be authorized by a 3-member funding authorization committee. The committee shall consist of the secretary of the department of veterans’ services, who shall serve as the chairperson of the committee, and 2 members appointed by the governor, 1 of whom shall be a member of the Governor’s Advisory Council on Veterans’ Services and 1 of whom shall be a veteran representative of the public with no financial interest in funding programs and services. No member of the legislature shall serve on the committee. Any entity awarded funds pursuant to this section, in any fiscal year, shall not be eligible for funding for the next 2 subsequent fiscal years, provided however, that an entity awarded funding pursuant to this section shall be eligible for funding in subsequent fiscal years if no other program or organization submits a qualifying application.

(e) The registrar shall furnish, without charge, a “Supporting our Veterans” distinctive registration plate to any veteran who has been determined to have a service-connected disability rating of 100 per cent or greater by reason of service in the armed forces of the United States.

SECTION 21. Section 1B of chapter 112 of the General Laws, as so appearing, is hereby amended by adding the following subsection:-

(f) The director and each of the boards of registration and examination under the supervision of the director shall waive the initial fee for a license application or certification granted pursuant to subsections (a) to (e), inclusive.

SECTION 22. Chapter 149 of the General Laws is hereby amended by inserting after section 44½, the following section:-

Section 44¾. Notwithstanding chapter 151B, a private, nonpublic employer in the commonwealth may provide a preference in promoting or hiring to: (1) a veteran; (2) the spouse of an honorably discharged veteran who the United States Veterans Administration determines to be 100 per cent disabled as a result of enemy action or a service-connected accident; or (3) the surviving spouse of a veteran.

SECTION 23. Chapter 272 of the General Laws is hereby amended by inserting after section 42A the following section:-

Section 42B. Whoever willfully pickets, loiters or otherwise creates a disturbance within 500 feet of a funeral home, church, temple, burial or other building where military funeral services are being held, shall be punished by a fine of not more than \$2,000 or by imprisonment for not more than 2 years in a house of correction, or both.

SECTION 24. Section 4 of chapter 73 of the acts of 1986 is hereby repealed.

SECTION 25. The secretary of health and human services shall establish and implement an ongoing veterans' home modification program through the Massachusetts rehabilitation commission. The commissioner of the Massachusetts rehabilitation commission, in collaboration with the secretary of veterans' services, shall promulgate rules and regulations necessary to carry out a veterans' home modifications program for any veteran who was called to active duty after September 11, 2001, who has suffered a service connected disability and who requires home modifications services to function more independently in the veteran's home and community. The purpose of the veterans' home modification program is to provide funding on behalf of veterans for home modifications services made necessary by the functional limitations associated with the veteran's service connected disability. The commissioner and secretary of veterans' services shall, to the best of the commissioner's and the secretary's knowledge, identify veterans eligible for this program and provide a cost estimate for the purpose of appropriations for this program for fiscal year 2015 and beyond. The cost estimate shall be reported to the house and senate committee on ways and means and the joint committee on veterans and federal affairs not later than March 1, 2014.

SECTION 26. (a) There is hereby established the Massachusetts Servicemember Post-Deployment Council to make recommendations regarding the implementation of a program in the commonwealth to support service members transitioning to civilian life after deployment.

(b) The council shall consist of 27 members: 2 members of the senate appointed by the president of the senate, 1 of whom shall be a member of the joint committee on veterans and federal affairs and 1 of whom shall be a member of the joint committee on mental health and substance abuse; 1 member appointed by the minority leader of the senate shall be the ranking minority member of the senate who is on the joint committee on children, families and persons with disabilities, the joint committee on labor and workforce development or the joint committee on housing, or the member's designee; 2 members of the house of representatives appointed by the speaker of the house of representatives, 1 of whom shall be a member of the joint committee on veterans and federal affairs and 1 of whom shall be a member of the joint committee on mental health and substance abuse; 1 member appointed by the minority leader of the House shall be the ranking minority member of the house of representatives who is on the joint committee on children, families and persons with disabilities, the joint committee on labor and workforce development or the joint committee on housing, or the member's designee; 1 member shall be the secretary of health and human services, or a designee from the executive staff to include representation from the department of public health, the department of mental health, the department of children and families and the Massachusetts rehabilitation commission; 1 member shall be the secretary of veterans' services, or a designee; 1 member shall be the adjutant general of the national guard, or a designee; 1 member shall be the commissioner of the Massachusetts rehabilitation commission, or a designee; 1 member shall be the undersecretary of the department of housing and community development, or a designee; 1 member shall be the secretary of labor and workforce development, or a designee; 1 member shall be the secretary of education, or a designee; and 14 members shall be appointed by the governor from a list of nominees submitted by each of the following organizations: Massachusetts Coalition for Suicide Prevention, Massachusetts Psychological Association Inc., Massachusetts Psychiatric Society, Inc., Massachusetts Association of Mental Health, Inc., Association for Behavioral Healthcare, Inc., Massachusetts Veterans' Service Officers Association, Massachusetts Women Veterans' Network, The Red Sox Foundation and Massachusetts General Hospital Home Base Program, the Massachusetts Military Heroes Fund, Inc., the United States Veterans Administration, the Massachusetts Hospital Association, Inc., the Military Friends Foundation and the Massachusetts League of Community Health Centers, Inc.; provided that 2 of such members shall be veterans of Operation New Dawn, Operation Enduring Freedom or Operation Iraqi Freedom.

(c) The term of office for each appointed member shall be 2 years, or until a successor is appointed in the case of a vacancy. The council shall, at its first organizational meeting, elect a member to serve as chairperson for a 2-year term. The council shall also elect a vice-chairperson for a 2-year term and a clerk for a 2-year term. No member shall receive any compensation for serving on the council.

(d) The council shall perform and make recommendations pertaining on how best to operationalize and quantify its duties, which may include, but shall not be limited to: (i) examining and evaluating the effectiveness of veterans' suicide prevention policies; (ii)

315 examining and evaluating the effectiveness of resilience training for veterans' personnel; (iii)
316 developing recommendations on ways in which veterans' support service needs may be promptly
317 assessed upon return from deployment; (iv) developing recommendations for methods by which
318 the commonwealth may identify, evaluate and refer service members returning to civilian life
319 post-deployment for assistance with education, employment, health care, housing and other
320 services; (v) providing recommendations for improving communication between mental health
321 support services and veterans who may benefit from such services; (vi) providing
322 recommendations for improving observation and treatment plans for returning veterans; (vii)
323 developing recommendations for providing mental health counseling services to combat the
324 effects of post-traumatic stress injuries for post-deployment veterans; (viii) examining ways in
325 which the commonwealth may reduce stress, anxiety and depression among returning veterans
326 and family members of returning veterans; (ix) providing recommendations on improving health
327 access assistance, including analyzing: (1) barriers prohibiting veterans from receiving coverage
328 upon their residency in the commonwealth; (2) tools to educate active duty members who intend
329 to reside in the commonwealth on their ability to acquire health care coverage in the
330 commonwealth; (3) the resources available to military members to help afford coverage upon
331 discharge; (4) the fluctuating income of service members upon discharge; and (5) the amount of
332 veterans who are discharged and, upon residency in the commonwealth, are without health care
333 coverage; provided, however, the council may form a subcommittee to implement this clause;
334 and (x) identifying the needs of women veterans relative to issues including, but not limited to,
335 compensation, rehabilitation, outreach, health care, education and other issues facing women
336 veterans in the community. The council may hold public hearings to assist in the collection and
337 evaluation of data and testimony.

338 (e) The council shall submit its findings and recommendations, including a detailed re-
339 entry program plan relative to servicemembers who return to civilian life after deployment,
340 together with recommendations for legislation to carry out those recommendations into effect by
341 filing the same with the house and senate clerks, the house and senate committees on ways and
342 means, the joint committee on veterans and federal affairs and the joint committee on mental
343 health and substance abuse not later than September 15, 2015.

344 SECTION 27. (a) The department of public health shall issue guidance to acute hospitals
345 and ambulance service providers in order to establish the systematic identification of veterans
346 and military service members following clinical care to effect appropriate referrals consistent
347 with the privacy protections offered by federal and state laws and regulations to the department
348 of veterans' services and to enable and promote access to all available resources, supports and
349 benefits.

350 (b) The department of veterans' services shall submit quarterly aggregate data reports on
351 all referrals to the department of public health.

SECTION 28. (a) There is hereby established a special commission to study and make recommendations to create a state office of veterans' employment and business assistance with a goal of expanding business and employment opportunities for veterans.

(b) The commission shall consist of 14 members: 3 members of the senate, 1 of whom shall be the chair of the joint committee on veterans and federal affairs, 1 of whom shall be the chair of the joint committee on labor and workforce development and 1 of whom shall be the ranking minority member of the senate who is on the joint committee on veterans and federal affairs or the joint committee on economic development and emerging technologies, or the member's designee; the secretary of labor and workforce development, or a designee; the secretary of veterans' services, or a designee; 3 members of the house of representatives, 1 of whom shall be the chair of the joint committee on veterans and federal affairs, 1 of whom shall be the chair of the joint committee on labor and workforce development and 1 of whom shall be the ranking minority member of the house of representatives who is on the joint committee on veterans and federal affairs or the joint committee on economic development and emerging technologies, or the member's designee; the secretary of housing and economic development, or a designee; and 5 members appointed by the governor, who shall consist of 1 member from each of the following organizations: Veterans Business Council, Northeast Veteran Resource Center, Inc., Massachusetts Small Business Development Center, Center for Women and Enterprise, and Veterans, Inc. The speaker of the house of representatives and the president of the senate shall select 2 members from the commission membership as co-chairpersons.

(c) The commission shall: (i) examine and report on barriers to employment facing returning veterans; (ii) examine barriers to starting a veteran-owned business or nonprofit; (iii) identify opportunities to promote the development of business enterprises and nonprofit organizations owned and operated by veterans; (iv) examine relationships that can be enhanced between state agencies and private-sector employers to promote private-sector awareness of barriers to veteran employment and the potential benefits of hiring veterans; (v) study the feasibility of state-level veteran career counseling and training options, including coordination with 1-stop career centers and all outreach programs and initiatives relative to veterans' employment services in the commonwealth; (vi) examine outreach programs and initiatives relative to employment services for veterans in the commonwealth and conduct a demographic and geographic analyses of the veteran population who is seeking services through the division of career services; (vii) identify opportunities to maximize revenues aimed at accomplishing the goals in this section, including, but not limited to, the availability of federal grants and matching funds; (viii) develop and implement an action plan to address the needs and deficiencies of underserved geographic locations in need of greater veteran outreach efforts; and (ix) consider any particular challenges that may be faced by female veterans and disabled veterans when related to the objectives of the commission.

The examination shall include, but not be limited to: (i) a report on the number of veterans residing in each municipality; (ii) a report on the number of veterans actively seeking

employment services in each community; (iii) coordinating with local, state and federal entities to estimate the number of veterans in each community currently unemployed or underemployed; and (iv) a determination of the geographic location of each local veteran employment representative assigned to career centers or other employment outreach locations throughout the commonwealth.

The examination shall include an assessment of staffing levels, funding levels and outreach efforts performed by local veteran employment representatives and a projection of underserved geographic locations in need of greater veteran outreach efforts.

(d) The commission may hold hearings and invite testimony from experts and the public. The commission shall review and identify best practices learned from similar efforts in other states.

(e) The commission shall report to the general court the results of its investigation and study and the action plan as developed in clause (viii) of the first paragraph of subsection (c) and make recommendations together with drafts of legislation necessary to carry out its recommendations by filing the report with the clerks of the senate and the house of representatives, on or before January 15, 2015.

SECTION 29. (a) There is hereby established the Massachusetts veterans long-term care and housing master plan commission. The commission shall study, evaluate and make recommendations regarding the future needs surrounding housing and residential care demand for veterans, spouses and dependents in the commonwealth. The commission shall also study the feasibility of waiving the homestead fee established in section 38 of chapter 262 of the General Laws for disabled veterans. (b) The commission shall consist of 16 members: the house of representatives and senate co-chairs of the joint committee on veterans and federal affairs, or their designees, who shall serve as co-chairs of the commission; the secretary of veterans' services, or a designee; 4 members appointed by the secretary of health and human services, 1 of whom shall be an expert in healthcare delivery systems, 1 of whom shall be an expert in healthcare facilities management, 1 of whom shall be a member of the board of trustees of the Soldiers' Home in Massachusetts and 1 whom shall be a member of the board of trustees of the Soldiers' Home in Holyoke; 1 member appointed by the secretary of administration and finance, who shall be an employee of the division of capital asset management and maintenance; the president of the Massachusetts Veterans' Service Officers Association, or a designee; the executive director of the interagency council on housing and homelessness, or a designee; 1 member appointed by the secretary of veterans' services who is a private citizen, not employed by an agency, city, town or group providing services to veterans, and who has extensive knowledge of the federal Veterans Administration; 1 member appointed by the secretary of the executive office for administration and finance who is a private citizen, not employed by an agency, city, town or group providing services to veterans, with extensive knowledge of real estate, construction and development; 2 members from the governor's advisory committee on

women veterans; and 2 members appointed by the secretary of veterans' services who are private citizens, not employed by a city, town or group providing services to veterans, and who are combat veterans of conflicts since 2001.

(c) The commission shall study and evaluate the emerging changes in veterans care and delivery of services relative to long-term health care and housing with the goal of ensuring all services provided by the state are strategically balanced by region and are in-line with and complimentary to those services provided by the federal government and other service providers. The commission shall study and evaluate the current capital needs for both the Soldiers' Home in Massachusetts and the Soldiers' Home in Holyoke and examine best practices in other states for the purpose of developing a long-term master plan and recommendations relative to long-term capital spending.

(d) The commission shall convene its first official meeting on or before January 10, 2014. The commission shall file a preliminary report of the study with recommendations for long-term capital spending on or before April 30, 2014 with the secretary of administration and finance and the clerks of the senate and the house of representatives, who shall forward the report to the house and senate committees on ways and means, the house and senate committees on bonding, capital assets and state expenditures and the joint committee on veterans and federal affairs.

SECTION 30. The department of veterans' services, in conjunction with the department of revenue, shall study the feasibility and analyze the merits of implementing a sliding scale property tax abatement for veterans and spouses, currently implemented under clause Twenty-second of section 5 of chapter 59 of the General Laws, based upon a percentage of disability as defined by the United States Department of Veterans Affairs. The study shall include, but not be limited to: (i) the methodology of granting such exemption in other states; (ii) the utilization of a sliding scale, based upon the percentage of the veteran's disability, in awarding the property tax exemption to veterans and spouses; (iii) the impact on disabled veterans; and (iv) any anticipated monetary cost to the commonwealth or to municipalities that the exemption may cause. The department of veterans' services, in conjunction with the department of revenue, shall submit its findings and legislative recommendations to the clerks of the senate and the house of representatives, the house and senate committees on ways and means and the joint committee on veterans and federal affairs on or before March 15, 2014.

SECTION 31. On the effective date of this act, any person or charitable organization established for an advocacy, benevolent, educational, humane, patriotic, philanthropic, scientific or social welfare purpose on behalf of veterans or the military which intends to solicit contributions from persons within the commonwealth or to have contributions solicited on its behalf by other charitable organizations shall comply with section 19A of chapter 68 of the General Laws not later than 90 days after the effective date of this act.

SECTION 32. The registrar of motor vehicles shall furnish, for a fee of \$40 including any renewal fee, a “Supporting our Veterans” distinctive registration plate to those owners of private passenger vehicles who, prior to the effective date of this act, initiated the process of payment for a “Supporting our Veterans” license plate by sending payment to an organization proposing such a plate, and who has posted a bond to secure the issuance of such a plate, pursuant to section 2F of chapter 90 of the General Laws. The registrar shall furnish to those owners pursuant to this section any plate numbers requested by the owners prior to the effective date of this act.

SECTION 33. Section 1 of chapter 60A of the General Laws, as appearing in the 2010 Official Edition, is hereby further amended by inserting, in line 101, after the words "permanently disabled", the following words:—

; nor to a motor vehicle owned and registered by a veteran, as defined in section 7 of chapter 4, who qualifies for and is therefore entitled to display thereon the distinctive number plates authorized by section 2 of said chapter 90.

SECTION 34. Section 6 of chapter 64H of the General Laws is hereby amended by striking out, in lines 318-319 in subsection (u), the words "and has been issued a disabled veteran number plate under section 2 of said chapter 90", and inserting in place thereof the following words:—

and who qualifies for and is therefore entitled to display thereon the distinctive number plates authorized by section 2 of said chapter 90.

SECTION 35. Section 3 of Chapter 115 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in line 2, the words “, annually in April,” and inserting after the word “agent” in line 2, the following words:— who shall serve for a term of up to three years and be eligible for reappointment.

SECTION 36. Chapter 33 of the General Laws is hereby amended by striking out section 13 and inserting in place the following section:—

Section 13. Uniformed services employment and reemployment rights act.

All members of the armed forces of the commonwealth, to include a state guard or similar organization composed as permitted by law, or the armed forces of another state or territory who are employed within the commonwealth and ordered to active duty under this chapter, appropriate authority of another state or territory, or 32 U.S.C. shall be entitled to all rights, protections, privileges, remedies and immunities afforded under the Uniformed Services Employment and Reemployment Rights Act, codified at 38 U.S.C. 4301 et seq., as from time to time amended.

(a) As used in this section, the following words shall, in addition to the definitions provided for in 38 U.S.C. 4303 and unless context clearly requires otherwise, have the following meanings:—

"Benefit of employment" shall include a workplace free of conduct that has the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or offensive work environment.

"Service in the uniformed services" shall also mean voluntary or involuntary service in the armed forces of the commonwealth as defined in section ten of this chapter, to include a state guard or similar organization composed as permitted by law, or in the armed forces of another state or territory.

"Uniformed services" shall also mean the armed forces of the commonwealth, to include a state guard or similar organization composed as permitted by law, when engaged in duty under this chapter or 32 U.S.C. or the armed forces of another state or territory when ordered to active duty under appropriate authority.

(b) For the purposes of this section, the adjutant general of the commonwealth shall perform all duties assigned to the secretaries of defense and labor of the United States under 38 U.S.C. 4301 et seq., with assistance from the secretary of labor and workforce development of the commonwealth when so requested by the adjutant general.

(c) For purposes of this section, the attorney general of the commonwealth shall perform all duties assigned to the attorney general of the United States under 38 U.S.C. 4301 et seq.

(d) For the purposes of this section, the secretary of veterans' services of the commonwealth shall perform the duties assigned to the secretary of veterans affairs of the United States pursuant to 38 U.S.C. §4333.

(e) In the case of an action under this section, the action may proceed in the district or superior courts of the commonwealth. Courts shall order a speedy hearing in any such case and shall advance it on the calendar. In the hearing and determination of applications under this section, courts shall have authority to provide all remedies, assert all equity powers, and award all reasonable attorneys' fees and costs available to courts under 38 U.S.C. 4301 et seq.

(f) Any service performed pursuant to this chapter or similar authority of another state or territory when in support of a critical homeland security or emergency management operation as determined by the adjutant general shall not be included in the calculation of a person's cumulative period of absence from a position of employment.

SECTION 37. Chapter 33 of the General Laws is hereby amended by adding the following section:—

Section 13A. Servicemembers civil relief act.

(a) All members of the armed forces of the commonwealth, to include a state guard or similar organization composed as permitted by law, including those who reside within the commonwealth pursuant to military service, and all members of the armed forces of another state or territory who reside within the commonwealth, ordered to active duty under this chapter, appropriate authority of another state or territory or 32 U.S.C. shall be entitled to all rights, protections, privileges, remedies and immunities afforded under the Servicemembers Civil Relief Act, codified at 50 U.S.C. App. Section 501 et seq., as from time to time amended, except for the provisions of Sections 536 and 541 to 549, inclusive, pertaining to life insurance.

(b) As used in this section, the following terms shall, in addition to the definitions provided for in 50 U.S.C. App. Section 511 and unless context clearly requires otherwise, have the following meanings:—

"Military service" shall mean duty performed under this chapter, appropriate authority of another state or territory, or 32 U.S.C.

"Servicemember" shall mean a member of the armed forces of the commonwealth as defined in section ten, to include a state guard or similar organization composed as permitted by law, or the armed forces of another state or territory.

(c) For the purposes of this section, the adjutant general of the commonwealth shall perform all duties assigned to the "secretary concerned" under 50 U.S.C. App. Section 501 et seq., as from time to time amended.

SECTION 38. Chapter 15A of the General Laws is hereby amended by inserting after section 43 the following section:—

Section 44. (a) All members of the armed forces of the commonwealth ordered to active duty pursuant to chapter 33, 10 U.S.C., or 32 U.S.C. and who attend an educational institution within the commonwealth shall be entitled to all rights, protections, privileges, and immunities afforded under the federal regulation providing readmission requirements for servicemembers, codified at 34 C.F.R. Section 668.18, as from time to time amended. All members of the armed forces of another state or territory ordered to active duty pursuant to appropriate state authority, 10 U.S.C., or 32 U.S.C. and who attend an educational institution within the commonwealth shall also be entitled to all rights, protections, privileges, and immunities afforded under 34 C.F.R. Section 668.18, as from time to time amended.

(b) As used in this chapter, the following words shall, unless context clearly requires otherwise, have the following meanings:—

"Armed forces" shall, in addition to the definition provided for in 34 C.F.R. Section 668.18, also mean the armed forces of the commonwealth as defined in section 10 of chapter 33,

to include a state guard or similar organization composed as permitted by law, and the armed forces of another state or territory.

“Service in the uniformed services” shall, in addition to the definition provided for in 34 C.F.R. Section 668.18, also mean either voluntary or involuntary service in the armed forces of the commonwealth, to include a state guard or similar organization composed as permitted by law, when engaged in duty under chapter 33 or 32 U.S.C., or in the armed forces of another state or territory ordered to perform service under appropriate state or federal authority, without regard for the number of consecutive days of duty.

(c) Any service performed pursuant to chapter 33, similar authority of another state or territory, 10 U.S.C., or 32 U.S.C. when in support of a critical homeland security or emergency management operation as determined by the adjutant general shall not be included in the calculation of a student’s cumulative length of absence from an educational institution.

(d) No student shall incur any academic or financial penalty by virtue of performing service in the uniformed services. A student who enrolls in but is unable to complete an academic course in order to perform service in the uniformed services shall have the option to complete the course at a later date without penalty or withdraw from the course with a full refund of fees and tuition paid. If the academic course is no longer available upon the student’s return from service in the uniformed services, the student shall be permitted to complete a replacement course for equivalent credit without penalty. If the student chooses to withdraw from the course, the student’s record shall reflect that the withdrawal is due to active military service.

(e) This chapter shall apply to all postsecondary institutions in the commonwealth including: (i) the system of public institutions of higher education, as defined in section 5 of chapter 15A; (ii) private occupation schools, as defined in section 263 of chapter 112; and (iii) private colleges, universities or other institutions of higher learning.

SECTION 39. In Chapter 10, Section 35CC of the MGL strike the word "including" in paragraph 1 and insert in place thereof the following-: "and"

SECTION 40. The Secretary of Veterans Services shall study the financial impacts of, and propose legislation to add “100 per cent compensation by Veterans Administration” to the annuity criteria set forth in Section 6B of chapter 115 of the general laws.